

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Herbert Demond York,)	C/A No.: 1:20-2172-RMG-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Officer Bostic; Officer Timmons;)	
and Nurse Cooper,)	
)	
Defendants.)	
)	

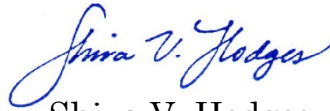
Plaintiff, proceeding pro se and in forma pauperis, brought this action alleging violations of his constitutional rights by Defendants. On April 9, 2021, Officers Bostic and Timmons filed a motion for summary judgment. [ECF No. 50]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by May 13, 2021. [ECF No. 51]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to Officers Bostic and Timmons' motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon his claims against Bostic and Timmons. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to the motion by June 1, 2021.

Plaintiff is further advised that if he fails to respond, the undersigned will recommend this case be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

May 18, 2021
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge